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NOTICE OF ALLOWANCE AND FEE(S) DUE

45809

7590

05/05/2009

SHOOK, HARDY & BACON L.L.P.
(c/o MICROSOFT CORPORATION)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BOULEVARD
KANSAS CITY, MO 64108-2613

EXAMINER

HUYNH, BA

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 05/05/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,299	04/16/2004	Joseph H. Matthews III	97172.06/MFCP.143207	7755

TITLE OF INVENTION: USER FRIENDLY REMOTE SYSTEM INTERFACE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/05/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

458/09 7590 05/05/2009

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 2555 GRAND BOULEVARD
 KANSAS CITY, MO 64108-2613

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/05/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HUYNH, BA	2179	715-827000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 664 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 664 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/825,299

Examiner

Ba Huynh

Applicant(s)

MATTHEWS ET AL.

Art Unit

2179

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The interview and examiner on 4/23/09.
2. ☒ The allowed claim(s) is/are 58-71 and 73-82.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Kristin D. Smith on 4/23/09.

The application has been amended as follows:

The claims are amended as follow:

58. (Currently Amended) A system for controlling computer functions, said system capable of operating in a plurality of modes, each mode associated with at least one type of mutually exclusive input device, said plurality of modes comprising at least a first mode and a second mode where mode is determined by the origin of signal from the at least one type of mutually exclusive input device associated with a mode, said system comprising:

a first means for generating a first signal indicating that a menu should be displayed, for generating a second signal indicating a numeric selection and for generating a third signal indicating that an application specific function should be performed if the application is operating in said first mode;

a second means for displaying data;

a third means for receiving the first, second and third signals generated by the first means and, in response to receiving the first signal, causing the second

means to display a menu comprising choices of at least one application program at least one of which has an associated numeric accelerator and, in response to receiving said second signal, launching the application program associated with the corresponding numeric accelerator and, in response to receiving the third signal, causing the launched application program to perform a function pertinent to that particular application program, if said system is operating in said first mode; and

a fourth means for determining the origin of at least one of the first, second and third signal from the at least one type of mutually exclusive input device,

wherein the determination of the origin of at least one of said first signal, said second signal and said third signal from a type of mutually exclusive input device causes said third means to switch from a first mode of operation to a second mode of operation based on the type of input device ~~if said originating mutually exclusive device differs from the originating mutually exclusive device governing the previous mode of operation.~~

59. (Previously Presented) The system of claim 58, wherein the third means, in response to detecting the first signal, provides information to applications executing on the third means which causes said applications to display menu information in a different manner than if the first signal had not been received from the first means.

60. (Previously Presented) The system of claim 58, wherein the third means inhibits the display of all taskbars, menus, and buttons until the first signal is received.

61. (Previously Presented) The system of claim 58, wherein, in response to the launching of the application program, said third means removes the association of said numeric accelerator from the choices of the menu and associates said numeric accelerators with choices of a nested menu.

62. (Previously Presented) The system of claim 58, wherein the generation of at least one of said first signal, said second signal, and said third signal causes said third means to switch from a first mode of operation to a second mode of operation.

63. (Previously Presented) The system of claim 58 wherein the first means further generates a fourth signal for switching the operation of the system between modes and wherein the third means, in response to receiving said fourth signal, causes said system to switch to said first mode if said system is operating in said second mode.

64. (Previously Presented) The system of claim 58 wherein the function pertinent to the particular launched application program is different based on the mode of the system.

65. (Previously Presented) The system of claim 58 wherein said third signal causes a different function of the launched application program to be performed based on the application program launched.

66. (Previously Presented) The system of claim 58 wherein the third means receives signals from the first means only if the system is operating in the first mode.

67. (Previously Presented) The system of claim 58 wherein the first mode is a theater mode wherein a display is enhanced.

68. (Previously Presented) The system of claim 58 wherein the menu displayed in response to the first signal is different based on the mode of the system.

69. (Currently Amended) A method for controlling computer functions comprising:

receiving a first user input signal from a first type of mutually exclusive input device and a second user input signal from a second type of mutually exclusive input device, wherein a first mode of operation is associated with the first type of mutually exclusive input device and a second mode of operation is associated with the second type of mutually exclusive input device, ~~said second signal being associated with an application program;~~

determining an appropriate mode of operation based on the type of the input device, switching from the first mode of operation based on the first type of mutually exclusive input device to the second mode of operation based on the second mutually exclusive input device, and executing an application program associated with the second signal in the second mode of operation ~~originating input device of said signal; and~~

executing ~~[[said]]~~an application program associated with the second signal
~~in response to said second signal~~ in the ~~appropriate~~ second mode of operation[
and]],
~~displaying a menu responsive to said first signal.~~

70. (Previously Presented) The method of claim 69 wherein said step of executing said application program comprises launching the application program in response to a numeric accelerator, said numeric accelerator being associated with said second signal.

71. (Previously Presented) The method of claim 70 wherein said step of executing said application program further comprises receiving a third signal, said third signal causing the launched application program to perform a function pertinent to that particular application program.

72. (Canceled).

73. (Previously Presented) The method of claim 72 wherein said choices of at least one application program has at least one of an associated numeric accelerator.

74. (Previously Presented) The method of claim 73 further comprising launching said at least one application program associated with the corresponding numeric accelerator.

75. (Previously Presented) The method of claim 74 further comprising receiving a third signal, said third signal causing the launched at least one application program to perform a function pertinent to that particular application program.

76. (Currently Amended) A system for controlling computer functions comprising:

a receiver for receiving a first user input signal from a first type of mutually exclusive input device and a second user input signal from a second type of mutually exclusive input device, wherein a first mode of operation is associated with the first type of mutually exclusive input device and a second mode of operation is associated with the second type of mutually exclusive input device ~~said second signal being associated with an application program; and~~

a processor for determining the mode of operation based on the type of the input device, switching from the first mode of operation based on the first type of mutually exclusive input device to the second mode of operation based on the second mutually exclusive input device ~~originating input device of said signal and executing said application program in response to said second signal in the appropriate mode of operation; and~~

~~a display device for displaying a menu responsive to said first signal, wherein said menu is displayed only after said application is executed.~~

77. (Previously Presented) The system of claim 76 wherein said executing comprises launching the application program in response to a numeric accelerator, said numeric accelerator being associated with said second signal.

78. (Previously Presented) The system of claim 77 wherein said receiver further receives a third signal, said third signal causing the launched application program to perform a function pertinent to that particular application program.

79. (Currently Amended) The system of claim 77 wherein said launched application comprises a menu, said menu comprising ~~comprises~~ choices of at least one application program.

80. (Previously Presented) The system of claim 79 wherein said choices of at least one application program has at least one of a corresponding numeric accelerator.

81. (Previously Presented) The system of claim 80 wherein said processor launches said at least one application program associated with the corresponding numeric accelerator.

82. (Previously Presented) The system of claim 81 wherein said receiver further receives a third signal, said third signal causing the launched at least one application program to perform a function pertinent to that particular application program.

Claims 58-71 and 73-82 are allowed.

The following is an examiner's statement of reasons for allowance:

Independent claims 58, 69 and 72, each when considered as a whole, are allowable over the prior art of record. Specifically, prior art of record fails to clearly teach or suggest the claimed method and corresponding system which receives user input signal from different type of input devices and switching the mode of operation based on the type of the input device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh
/Ba Huynh/
Primary Examiner, Art Unit 2179

